
HOUSE BILL No. 1131

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-30-16-2.

Synopsis: Notice of violent threats. Provides that the duty to warn of violent behavior is discharged by a mental health service provider who makes reasonable attempts to communicate the threat to the intended victims and who takes other specified action.

Effective: July 1, 2002.

Alderman

January 8, 2002, read first time and referred to Committee on Rules and Legislative Procedures.

C
o
p
y



Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1131

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-30-16-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. The duty to warn of
3 or to take reasonable precautions to provide protection from violent
4 behavior or other serious harm arises only under the limited
5 circumstances specified in section 1 of this chapter. The duty is
6 discharged by a mental health service provider who **makes reasonable**
7 **attempts to communicate the threat to the intended victim or**
8 **victims and** takes one (1) or more of the following actions:

9 ~~(1) Makes reasonable attempts to communicate the threat to the~~
10 ~~victim or victims.~~

11 ~~(2)~~ (1) Makes reasonable efforts to notify a police department or
12 other law enforcement agency having jurisdiction in the patient's
13 or victim's place of residence.

14 ~~(3)~~ (2) Seeks civil commitment of the patient under IC 12-26.

15 ~~(4)~~ (3) Takes steps reasonably available to the provider to prevent
16 the patient from using physical violence or other means of harm
17 to others until the appropriate law enforcement agency can be



C
o
p
y

1 summoned and takes custody of the patient.

2 ~~(5)~~ **(4)** Reports the threat of physical violence or other means of
3 harm, within a reasonable period of time after receiving
4 knowledge of the threat, to a physician or psychologist who is
5 designated by the employer of a mental health service provider as
6 an individual who has the responsibility to warn under this
7 chapter.

C
o
p
y

